

Date: May 23, 2018

To: Board of Directors

From: Doug Kelsey

Subject: RESOLUTION 18-05-42 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH CH2M HILL, INC. FOR DESIGN SERVICES FOR THE REGIONAL ENHANCED TRANSIT CONCEPTS

1. Purpose of Item

The purpose of this item is to request that the TriMet Board of Directors (Board) authorize the General Manager to execute a contract with CH2M Hill, Inc., a wholly owned subsidiary of Jacobs (CH2M) for design services for the Regional Enhanced Transit Concepts (ETC).

2. Type of Agenda Item

- Initial Contract
 Contract Modification
 Other _____

3. Reason for Board Action

Board approval is required for personal services contracts obligating TriMet to pay in excess of \$500,000.

4. Type of Action

- Resolution
 Ordinance 1st Reading
 Ordinance 2nd Reading
 Other _____

5. Background

This Project provides design services for the Regional ETC Concepts Program (Program), which is new to the Portland region. It was created in 2017, after the Joint Policy Advisory Committee on Transportation and the Metro Council (Metro) agreed to allocate \$5 million of Regional Flexible Funds for ETC pipeline design.

The Program will create a pipeline of projects that local jurisdictions can choose to submit through a Metro-led call for projects. The intent is to design a program of projects that will improve travel time and reliability for existing and planned frequent service bus and streetcar lines. Design of qualifying ETC program projects will be funded through the pipeline program. While these projects may facilitate better travel times and operations of other modes (pedestrians, bicyclists, autos, or freight) in multimodal corridors, the focus of the improvements will be on transit travel times and reliability.

Construction of the projects in the program will be funded by the jurisdiction that submits the project to the Metro-led call for projects. Either that jurisdiction or TriMet could lead construction implementation.

6. Procurement Process

A competitive Request for Proposals (RFP) process was used to select the contractor for the Project. TriMet issued the RFP on January 30, 2018, and proposals were due on March 14, 2018. A total of 311 vendors were notified of the RFP.

Prior to issuing the RFP, TriMet conducted outreach through presentations to local jurisdictions, county coordinating committees, and regional bodies. Additional outreach was performed through notification sent to the Contractor Plan Center, Government Contract Assistance Program, North America Procurement Council, Salem Contractors Exchange, Seattle Daily Journal of Commerce; and through a pre-proposal meeting attended by 13 firms held on March 20, 2018.

This RFP was subject to the Brooks Act, also known as a Qualifications-Based Selection. Qualifications-Based Selection is a procurement process utilized when selecting architects and engineers for design contracts. In a Qualifications-Based Selection procurement, the agency must select the most qualified firm, and then negotiate a fair and reasonable price for the required professional services. Price quotations are not permitted as a consideration in the selection process.

TriMet appointed an evaluation committee (EC) to review and evaluate the proposals, which was comprised of staff from TriMet's Policy & Planning Division, TriMet's Office of Diversity & Transit Equity, and Metro. EC members were selected based on their expertise, experience, and knowledge related to the Project.

Despite the extensive outreach conducted prior to issuance of the RFP, TriMet received only one proposal, from CH2M, with a large number of firms serving as subcontractors. Competition was limited due to the largely varying scope of the potential ETC projects. The EC scored the proposal in accordance with the procedures and criteria established in the RFP. After completing the initial review process, the EC determined that CH2M was well-qualified and did not require an interview.

CH2M's full scores are as follows:

	Possible Points	CH2M
Corporate Experience	15	13
Personnel Experience	35	31
Work Plan/Quality Plan / Diversity Plan	30	25.2
Availability in Portland and Track Record	10	9.4
Cost Estimating and Controls	10	9.2
Total Score	100	87.8

Accordingly, TriMet proposes to award a contract to CH2M.

In accordance with a Qualifications-Based Selection, the direct labor costs and overall contract value were negotiated after selection of the contractor. The attached Resolution authorizes the award of a contract in an amount not to exceed \$5,000,000 for the Program. TriMet staff has determined that the negotiated rates are fair and reasonable in relation to the local market for this type of work and comparison with other rates for similar services. The negotiated contract amount is also within the budget established for this work.

7. Diversity

In its proposal, CH2M indicated it would utilize Disadvantaged Business Enterprise (DBE) contractors for approximately 15 percent of the work in the areas of deputy design management, civil design, survey, utility coordination, traffic signals lead, landscape design, and permitting.

8. Financial/Budget Impact

The project cost of \$5,000,000 is included in the FY 2018-19 Capital Program budget.

9. Impact if Not Approved

If the Board decides not to approve this contract, TriMet's alternative would be to hire additional staff to complete the design work, resulting in significant delays to the Project. In addition, the Project requires highly specialized expertise and the need for additional staff would not exist after the work is completed.

RESOLUTION 18-05-42

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH CH2M HILL, INC. FOR DESIGN SERVICES FOR THE REGIONAL ENHANCED TRANSIT CONCEPTS

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with CH2M Hill, Inc. for design services for the Regional Enhanced Transit Concepts Program (Contract); and

WHEREAS, the total amount of the Contract is expected to exceed \$500,000; and

WHEREAS, the TriMet Board of Directors (Board), by Resolution dated October 25, 2017, adopted a Statement of Policies requiring the Board to approve personal services contracts obligating TriMet to pay in excess of \$500,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract shall be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Contract in an amount not to exceed \$5,000,000.

Dated: May 23, 2018

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department